REMARKS

Claims 1-9, 12, 13, 15, 16, 20-22, 24, 25 and 28-44 are pending. Claims 1 and 5 are amended.

The applicant thanks the Examiner for extending the courtesy of a telephonic interview on July 8, 2002, during which the applicant's representative pointed out the differences between the Mapedit and White references and the present claims, which differences are discussed in more detail below. Reconsideration and reexamination are respectfully requested in view of the amendments and following remarks.

I.   The § 103(a) Rejections

<u>Claims 1-5, 7-9, 12-13, 20-22, 29-30, 35-36 and 42-43</u>

The Examiner rejected claims 1-5, 7-9, 12-13, 20-22, 29-30, 35-36 and 42-43 as being unpatentable over Mapedit Imagemap Editing Software, version 2.3 for Windows 3.1, 1997 by Boutell.com, Inc. ("Mapedit"), in view of U.S. Patent No. 6,034,689 ("White"). Claim 1, as amended, recites a method including the following steps. Input is received from a user selecting a layer in an electronic artwork. The electronic artwork has a plurality of layers, and the selected layer has content including one or more non-transparent regions in a transparent frame. In response to the input selecting a layer, an area is defined in the selected layer by automatically determining a perimeter boundary of the one or more non-transparent regions in the selected layer. The area and the action are associated with the selected layer as a property of the selected layer in the electronic artwork.

The Examiner states that Mapedit teaches the saving of edited overlapping layered image regions, although Mapedit does not specifically teach inputting a graphic file containing layers. The Examiner further states it would have been obvious to one of ordinary skill in the art at the time of the invention to input said image mapped graphic, because of Mapedit's taught advantage of reopening and editing such files.

There is a significant distinction between Mapedit and the method recited in claim 1, even assuming that Mapedit discloses layers, which for reasons stated by the applicant in previous office action responses is not conceded by the applicant. In Mapedit, a "layer" does not

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exist until a hotspot has been defined by a user, that is, the original artwork does not include layers. By contrast, claim 1 recites that "in response to the input selecting a layer, an area is defined in the selected layer by automatically determining a perimeter boundary of the one or more non-transparent regions in the selected layer." That is, the selected layer exists before the area is defined. This is consistent with the recitation in claim 1 that the electronic artwork, from which the layer is selected, has a plurality of layers. Accordingly, Mapedit fails to disclose or suggest the second element of claim 1.

In addition, as recognized by the Examiner, Mapedit fails to disclose or suggest defining an area in the selected layer by automatically determining a perimeter boundary of the one or more non-transparent regions in the selected layer. The Examiner states that White teaches automatic rescaling of an image map area subsequent to resizing of a Web page to fit different display areas. The Examiner further states it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of White to the method of Mapedit.

The applicant respectfully disagrees with the Examiner's characterization of White. White discloses a scaling operation to reduce the image size of Web page elements to fit within a desired horizontal and vertical dimension (Col. 15, lines 1-6). The scaling operation must be taken into account when transmitting coordinates of the selection icon within a server-side image map (Col. 15, lines 17-19). A selection icon is basically a cursor, depicted as cross-hairs shown on Fig. 8 of White (Col. 14, lines 5-8; Fig. 8). White discloses rescaling coordinates for a selection icon by dividing a coordinate by a known scaling factor (Col. 15, lines 28-30), and appears to disclose reducing the image size of Web page elements, also using the same scaling factor. The operation is essentially a mathematical computation, based on a scaling factor determined from the size of a television-formatted display.

The above is entirely different from "automatically determining a perimeter boundary of the one or more non-transparent regions" in a selected layer, where the non-transparent regions are in a transparent frame, as recited in claim 1. First, White fails to disclose or suggest layers and fails to disclose or suggest a layer including one or more non-transparent regions in a transparent frame. Second, White fails to disclose or suggest "determining a perimeter boundary", but rather discloses resizing known Web page elements and a selection icon using a scaling factor determined from known dimensions. As stated by the Examiner, White appears to

disclose scaling "subsequent to changes in size of an image map". That is, an image map exists, is changed in size and elements are rescaled. By contrast, claim 1 recite a method for defining an area to which an action is assigned, without requiring a pre-existing image map.

For at least the above reasons, Mapedit in view of White fails to disclose or suggest the elements of claim 1. Claim 1 is therefore in condition for allowance. Claim 5 is a computer program claim that recites the features discussed above in reference to claim 1, and accordingly is allowable over Mapedit in view of White for at least the same reasons. Claims 2-4, 7-9, 12-13, 20-22, 29-30, 35-36 and 42-43 depend from either claim 1 or claim 5, and are therefore allowable for at least the same reasons.

Claims 15-16, 24-25

The Examiner rejected claims 15-16 and 24-25 under 35 U.S.C. § 103(a) as being unpatentable over Mapedit and White as applied to claims 1 and 5 above, and further in view of U.S. Patent No. 5,991,781 ("Nielsen"). The Examiner cites Nielsen as allegedly teaching at least two non-transparent regions, and argues that it would have been obvious to combine that teaching with Mapedit and White to make the invention of claims 15, 16, 24 and 25.

Claims 15 and 16 are method claims based on claim 1, and therefore include all of the limitations of that claim; similarly, claims 24 and 25 are computer program claims based on claim 5, and include all of the limitations of that claim. As discussed above, neither Mapedit nor White discloses at least one element of each of the parent claims. Nielsen appears no more relevant to those missing elements. Accordingly, the applicant submits that claims 15, 16, 24 and 25 are allowable over Mapedit in view of White and Nielsen for at least the reasons discussed above in the context of claim 1.

Claims 6, 28, 31-34, 38-41

The Examiner has rejected claims 6, 28, 31-34 and 38-41 as being unpatentable over Mapedit and White as applied to claim 1 and further in view of U.S. Patent No. 5,956,701 ("Habermehl"). The Examiner cites Habermehl as allegedly teaching defining hot spot areas using a neural net that takes the boundaries of an area into account, and argues that it would have been obvious to combine that teaching with Mapedit and White to make the invention of claims 6, 28, 31-34 and 38-41.

Claims 6 and 38-41 are computer program claims based on claim 5, while claims 28 and 31-34 are method claims based on claim 1; these dependent claims therefore include all limitations of their respective parent claims. As discussed above, neither Mapedit nor White disclose at least one element of each of the parent claims. Habermehl appears no more relevant to those missing elements. Accordingly, the applicant submits that claims 6, 28, 31-34 and 38-41 are allowable over Mapedit in view of White and Habermehl for at least the reasons discussed above in the context of claim 1.

II.   Allowable Subject Matter

Claims 37 and 44 are objected to as being dependent upon a rejected base claim, but as being allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claim 37 depends from claim 1, and claim 44 depends from claim 5. The applicant respectfully submits that in view of the amendments to claims 1 and 5 and the remarks above, claims 1 and 5 are in condition for allowance. Accordingly, claims 37 and 44 are also in condition for allowance.
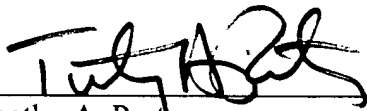
III.   Conclusion

The applicant asks that all claims be allowed. A marked-up version of the changes being made by the current amendment is attached. Enclosed is a $110.00 check for the one-month Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 7/25/02

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Version with markings to show changes made

In the claims:

Claims 1 and 5 have been amended as follows:

1.   (Amended six times) A method comprising:

receiving from a user an input selecting a layer in an electronic artwork having a plurality of layers, the selected layer having content including one or more non-transparent regions in a transparent frame;

[for the selected layer of the artwork]in response to the input selecting a layer, defining an area in the selected layer by automatically determining a perimeter boundary of the one or more non-transparent regions in the selected layer;

assigning an action to the area, the action defining a function that is to be activated when the area is selected; and

associating the area and the action with the selected layer as a property of the selected layer in the electronic artwork.

5.   (Amended four times) A computer program, tangibly stored on a computer-readable medium, comprising instructions for causing a computer to:

receive an electronic artwork having a plurality of layers, each layer having transparency information defining one or more non-transparent regions in the layer in a transparent frame;

receive from a user an input selecting one of the plurality of layers;

[for the selected layer of the artwork] in response to the input selecting a layer, define an area in the selected layer by automatically determining a perimeter boundary of the one or more non-transparent regions in the selected layer; and

assign an action to the area, the action defining a function that will be activated when the area is selected.